



10191/2045

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Markus LEUZ et al.  
Serial No. : 10/030,888  
Filed : June 7, 2002  
For : DEVICE AND METHOD FOR CONTROLLING AN INTERNAL  
COMBUSTION ENGINE HAVING AN EXHAUST  
TREATMENT SYSTEM  
Examiner : Diem T.  
Group Art Unit : 3748

Mail Stop AF  
Commissioner for Patents  
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Date: 3/3, 2004

Signature: Cathleen F. Dunn

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated September 5, 2003 finally rejecting claims 8, 9, and 11-17.

Applicants previously requested a three month extension of time, resetting the response date to March 5, 2004. This extension request was transmitted in the Transmittal accompanying the Rule 116 Amendment mailed on February 24, 2004.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. 1.191 Notice of Appeal fee of \$330.00 to the deposit account of Kenyon & Kenyon, Deposit Account No. 11-0600. Any additional fees deemed necessary should also be charged to Kenyon & Kenyon, Deposit Account No. 11-0600. Two additional copies of this Notice are enclosed for that purpose.

Dated: 3/3, 2004

Respectfully submitted,  
By: Richard L. Mayer  
Reg. No. 30,333  
Richard L. Mayer  
(Reg. No. 22,490)

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